

Souter. He has argued four cases before the U.S. Supreme Court.

In 2011 and again in 2014, Kevin was appointed to the Advisory Committee on Appellate Rules by Chief Justice John Roberts. This is a signal honor, as the Presiding Officer knows. He is one of only 3 private practitioners on the 10-person committee.

Currently, Kevin serves as the chairman of his firm's appellate group and has been recognized by several national publications and organizations for his leadership in the legal field.

As the former solicitor general of Alabama, Kevin has proved to be an exceptionally skilled attorney. He understands and respects the law, and I believe he will be an asset to our Nation's judicial system as a Federal judge on the Eleventh Circuit. Moreover, the American Bar Association unanimously gave Kevin a "well qualified" rating to serve on the Eleventh Circuit—the highest possible recommendation they are able to give.

I am confident that Kevin Newsom will serve honorably and apply the law with impartiality and fairness, which I believe is required of all judges. I believe that President Trump has made the right decision in selecting Kevin Newsom to sit on the Eleventh Circuit. I am hopeful that later today my colleagues on both sides of the aisle will vote to confirm Kevin Newsom without any reservations.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RETURN OF PAPERS—H.J. RES. 76

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the papers with respect to H.J. Res. 76 be returned to the House of Representatives at their request.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that notwithstanding rule XXII, at 2:15 p.m. today, the Senate proceed to the consideration of Calendar No. 178, the nomination of Christopher Wray to be Director of the FBI. I further ask that there be 4 hours of debate on the nomination, equally divided in the usual form; that following the use or yielding back of time, the Senate vote on confirmation of the nomination with no intervening action or debate; that if confirmed, the President be immediately notified of the Senate's action. I further ask that following disposition of the Wray nomination, all postcloture time on the Newsom nomination be considered expired.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

## RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:31 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

## EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of the following nomination, which the clerk will report.

The bill clerk read the nomination of Christopher A. Wray, of Georgia, to be Director of the Federal Bureau of Investigation for a term of ten years.

The PRESIDING OFFICER. There will now be 4 hours of debate equally divided in the usual form.

The President pro tempore, the Senator from Utah, is recognized.

### INTERNATIONAL COMMUNICATIONS PRIVACY ACT

Mr. HATCH. Mr. President, I represent a generation of lawmakers brought up on the principles of bipartisanship and compromise, and I believe these very virtues are the key to my success as a legislator. By putting these principles in practice as chairman of the Finance Committee, I was able to pass more than 40 bills into law during the last Congress, and by working with my friends across the aisle over many decades of public service, I have been able to pass more legislation than anyone alive today.

I draw from these personal experiences to illustrate a simple point: In an era of endless gridlock and increasing polarization, there is no alternative to civility and healthy debate. We would do well to remember this in light of the frustrations we have all felt over the past several months.

The Senate is capable of so much more than it is today. I know because I have seen the Senate at its best, and I have seen the Senate when regular order was the norm, when legislation was debated in committee, and when Members worked constructively with one another for the good of the country. I have seen the Senate when it truly lived up to its reputation as the world's greatest deliberative body.

I believe we can again see this body at its best, but restoring the Senate to its proper function requires real change on all sides. It begins by recognizing that all of us here, Democrats and Republicans alike, are to some extent culpable for the current dysfunction. If we want to break free of the current gridlock and if we want to show the American people we are serious about legislating, then we have to be honest with ourselves, and we have to recognize that laying all the blame on the other side is as counterproductive as it is disingenuous.

Most importantly, we must be willing to work in good faith with Members of the opposite party. All too often, we miss the opportunity to effect meaningful change by hiding behind partisan differences. We must take the opposite course by renewing our efforts to reach across the aisle to overcome division and forge consensus. There is no better template for effective, bipartisan legislating.

This is the model I have followed for decades for the betterment of Utah and the Nation, and it is the model I have followed most recently in working with my dear friend Senator COONS to introduce the International Communications Privacy Act, or what we affectionately refer to as ICPA.

ICPA is more than just a common-sense proposal that updates law enforcement for the modern age; it is a symbol of what our two parties can accomplish when we lay aside petty differences and come together for the good of our Nation. In crafting this proposal, Senator COONS and I took great pains to strengthen international data privacy protections while also enhancing law enforcement's ability to access data across borders.

This issue has long been a priority of mine. I have spoken about it at length both here on the Senate floor and in other venues and have introduced legislation on the subject over multiple Congresses. Most recently, I came to the Senate floor to explain how the rise of cloud and remote network computing has transformed the way we store data and to describe the implications of that transformation for our data privacy laws.

Until relatively recently, most electronic data was housed in personal computers or on servers located in offices or homes. This meant that in order to access data, a person could simply go to the relevant location and retrieve it. That is no longer the case. Nowadays, much of our data is stored not on home or office computers but in the cloud—a network of remote servers spread throughout the world that allows us to access data from literally anywhere. Data pertaining to a single individual or even to a single document may be stored at multiple sites spread across countries or even continents.

This has profound implications for data privacy. To begin with, our privacy laws require government officials to obtain a warrant before they can access many types of electronic communications. Warrants, however, traditionally have stopped at the warrant's edge. This means that if a law enforcement agent is investigating a crime here in the United States but a key piece of information is stored on a remote server outside the United States, the agent may have significant difficulty obtaining the information. Without a warrant or the ability to get a warrant, the agent may have to use diplomatic channels to obtain the information—a process that can be extremely slow and cumbersome.

Our privacy laws also prohibit disclosure to foreign entities. This means that when a foreign government is investigating a crime within its borders and a key piece of information is stored in the United States, the foreign government must likewise work through diplomatic channels to obtain the information.

The growing prevalence of cloud and remote network computing has put law enforcement into increasing conflict with these sorts of restrictions. Crime knows no borders. A child pornographer in Bangalore may post photos of an American victim on a British server which can be accessed worldwide. A U.S. official investigating the crime may need information stored on the British server in order to track down the culprit. If the server was in the United States, the official could simply issue a warrant. But that tool isn't available in this scenario because the server is overseas.

Moreover, the United Kingdom may have a statute, similar to our own law, that prohibits British service providers from disclosing communications to foreign entities. Diplomatic channels exist for sharing such data, but these channels are exceptionally slow and can take months or even years to process requests. In the meantime, crimes go unpunished and perpetrators disappear.

This state of affairs is simply not tenable. We cannot allow outdated laws to hamstring law enforcement efforts in this way. At the same time, we must adequately protect Americans' privacy against unwarranted government intrusion.

Some have suggested that the answer is to simply extend the reach of U.S. warrants worldwide. This, however, is not a viable solution as foreign disclosure laws can and do conflict with U.S. laws. Extending the reach of U.S. warrants without reasonable limits would thus place service providers in the impossible position of having to choose which country's laws to violate—ours or the foreign jurisdiction's.

What we need is a sensible regime with clear rules that determine access based on factors that matter to the person whose data is being sought. At the same time, we need to take proper account of the laws and interests of other countries, especially our allies.

We ought to avoid, wherever possible, trampling on other nations' sovereignty or ignoring their own citizens' legitimate claims to privacy. Accordingly, ICPA sets clear rules for when and how U.S. law enforcement can access electronic data based on the location and nationality of the person whose data is being sought.

Here is what the bill says:

If a person is a U.S. national or is located in the United States, law enforcement may compel disclosure, regardless of where the data is stored, provided the data is accessible from a U.S. computer and law enforcement uses proper criminal process.

If a person is not a U.S. national, however, and is not located in the United States, then different rules apply. These rules are founded on three principles: respect, comity, and reciprocity.

First, respect. If U.S. law enforcement wishes to access data belonging to a non-U.S. national located outside the United States, then U.S. law enforcement must first notify the person's country of citizenship and provide that country an opportunity to object. This shows respect to the other country and gives it an opportunity to assert the privacy rights of its citizen.

Second, comity. If, after receiving notice, the other country lodges an objection, a U.S. court undertakes a comity analysis to determine whose interests should rightly prevail—the U.S. interests in obtaining the data or the foreign interests in safeguarding the privacy of its citizen. As a part of this analysis, the court considers such factors as the location of the crime, the seriousness of the crime, the importance of the data to the investigation, and the possibility of accessing the data through other means.

Third, reciprocity. In order to receive notice and an opportunity to object, the other country must provide reciprocal rights to the United States. This ensures that the U.S. provides its own citizens an equal or greater level of protection against foreign requests for data. It also offers incentives to foreign governments to properly safeguard the data of U.S. citizens within their borders.

Up to this point, I have been focusing on requests by U.S. law enforcement for data stored outside the United States, but there is another side to the problem, and that is what happens when foreign law enforcement requests data stored inside the United States.

As I have mentioned, our privacy laws prohibit disclosure to foreign entities. Suppose a British subject committed a crime in Britain but data relevant to the investigation is stored in the United States. Even if British law provides for extraterritorial process, a UK official investigating the crime will be unable to obtain the data because U.S. law prevents disclosure to foreign officials. As with U.S. requests for data in other countries, diplomatic channels exist for sharing such data, but these channels are slow and extremely cumbersome.

Accordingly, for the past several months, I have been working with Senator GRAHAM and others to find a solution for this second part of the problem. Senator GRAHAM, together with Senator WHITEHOUSE, convened a hearing in May of this year that I believe highlighted the need for action. I have also met with Ambassadors and other high-ranking foreign officials who have impressed upon me the challenges they are facing under existing U.S. law.

I think we need to address this second side of the problem—foreign requests for data in the United States—

as well. We need to address it in conjunction with the first side—U.S. requests for data in other countries.

It will not do to give foreign authorities readier access to data stored in the United States without likewise clarifying U.S. law enforcement's ability to obtain data stored abroad. Similarly, it is inconceivable to me that we would open our doors to foreign law enforcement requests while telling U.S. law enforcement that data in other countries is off-limits. Surely, we should not prefer foreign criminal investigations over domestic ones.

I believe these two issues—ICPA and the bilateral United States-United Kingdom agreement—are inextricably linked. I have worked in good faith with Senator GRAHAM and with Senator WHITEHOUSE to find a path forward on these issues. It is my firm belief that we need to move these two issues together. Everyone has a vested interest in privacy, and everyone has a vested interest in bringing criminals to justice. We are going to work together on this.

In closing, I would emphasize one additional point. The question of whether, when, and under what circumstances the United States should authorize law enforcement access to data stored abroad is a question for Congress. There have been suggestions in some corridors that this is a question for the courts to decide. I emphatically reject that question. This is a policy question for Congress.

We should not defer to the courts' interpretation of a statute that was passed 30 years ago with no thought or comprehension of the situation we face today. Subject to constitutional constraints, it is Congress's job to set the bounds of government's investigatory powers. We decide what government officials can and cannot do. We should not pass the buck to the judiciary merely because this is a complicated issue. We shouldn't do that.

The International Communications Privacy Act provides critical guidance to law enforcement while respecting the laws and interests of our allies. It brings a set of simple, straightforward rules to a chaotic area of the law and creates an example for other countries to follow. It is a balanced approach and a smart approach, and it deserves this body's full-throated support.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. THUNE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### TAX REFORM

Mr. THUNE. Mr. President, when polls ask Americans what issues are most important to them, one topic seems to score high every time: jobs and the economy. It is not surprising. The American people have had a rough time over the past few years.

The Obama years were characterized by long-term economic stagnation. Jobs and opportunities were few and far between. Wage growth was almost nonexistent, and yearly economic growth alternated between weak and woeful.

During the last year of the Obama administration—years, I might add, after the recession ended—economic growth averaged a dismal 1.5 percent. That is barely half of the growth needed for a healthy economy.

There have been some encouraging signs over the past few months. Economic growth for the second quarter of 2017 was stronger. We still have a way to go to get to where we need to be. Things still need to get better and better faster.

Another thing is, we want things to get better for the long term. During the Obama administration, there were periods of reasonable economic growth, but they were quickly followed by weak periods. That is not good enough. We need to put our economy on a strong, healthy footing for the long term.

How do we do this? How do we get back on the path to long-term economic health? One important thing we can do is reform our outdated, inefficient, and growth-stifling Tax Code.

The Tax Code might not be the first thing people think of when they think of economic growth, but it actually plays a huge role in every aspect of our economy. It helps determine how much money you have left over to save or invest or whether you can afford a car or a house. When it comes to businesses, it can be the key to determining whether a young business gets off the ground or an existing business has the money to grow and to hire new workers.

Unfortunately, our current Tax Code is not helping our economy. Too often, American families find their opportunities limited by the size of the tax bill they owe to Uncle Sam. Large and small businesses alike find themselves struggling under heavy tax burdens that compromise their ability to grow and compete.

What does tax reform need to look like? On the individual side, of course, we need to lower income tax rates to put more money in Americans' pockets. American families should be the ones deciding how to spend their earnings and not Washington bureaucrats.

On the business side, there are two important things we can do that will have long-term benefits for economic growth: first, lower tax rates for all types of businesses—sole proprietorships, S corporations, limited liability companies, and corporations; and, second, accelerate the rate at which businesses can recover their investment costs to free up money for them to reinvest in their businesses, create new jobs, and increase wages.

When it comes to lowering business tax rates, there are several things we need to do. For starters, we need to

lower our Nation's corporate tax rate. The United States has the highest corporate tax rate in the developed world. That puts American businesses at a competitive disadvantage in the global economy.

When American businesses are taxed at a far higher rate than their foreign competitors, it is likely to be the foreign, rather than the American, companies that expand and thrive.

It is not just our high corporate tax rate that puts American businesses at a competitive disadvantage. It is also our outdated worldwide tax system. If we want American businesses to stay competitive in the global economy, we need to move from a worldwide tax system to a territorial tax system.

The chairman of the Senate Finance Committee, Senator ORRIN HATCH, delivered a speech the other day explaining exactly why we need to move to a territorial system. I highly recommend reading his full speech, but I am going to take just a moment to highlight some of the points he made in that speech.

What does it mean to have a worldwide tax system? Under a worldwide tax system, American companies pay U.S. taxes on the profit they make here at home, as well as any profit they make abroad, once they bring that money back here home to the United States.

The problem with this is twofold. First, these companies are already paying taxes to foreign governments on the money they make abroad. While the current Tax Code gives them some credit for those foreign tax payments, they can still end up paying some U.S. taxes when they bring that money home, meaning they are being taxed twice on those profits.

This discourages companies from bringing their profits home to invest in their domestic operations in the United States. If the tax burden for bringing that money home is too great, they have a strong incentive to leave that money abroad and invest it in foreign workers and foreign economies.

The other problem is, most other major world economies have shifted from a worldwide tax system to a territorial tax system. In a territorial tax system, you pay taxes on the money you earn where you make it and only there. You aren't taxed again when you bring money back to your home country.

Most of American companies' foreign competitors have been operating under a territorial tax system for years so they are paying a lot less in taxes than American companies are. That leaves American companies at a competitive disadvantage.

These foreign companies can underbid American companies for new business simply because they don't have to add as much in taxes into the price of their products or services. By moving to a territorial tax system in the United States—a move that is supported, by the way, by Members of both

parties—we can put American companies on an even footing with their global competitors.

With a territorial tax system and a lower corporate tax rate, we can provide a strong reason for companies to keep their operations in the United States and to bring their profits back home, instead of incentivizing companies to send their operations overseas the way they do now.

Improving the competitiveness of American companies and giving them a reason to invest their profits back home will have huge economic benefits, not only for American companies who are competing in the global marketplace but also for all the small- and medium-sized companies that form the supply chain here in the United States.

For every American company that operates in countries around the world, there are countless companies here at home that supply the raw material for the products that are sold abroad—businesses that handle the packaging and the shipping of those products and enterprises that supply support services like accounting and legal and payroll services.

The list goes on. America's global companies rely on a web of supporting businesses that spans the entire United States. As a result, when American companies are successful, so is the American economy.

Obviously, lowering corporate tax rates and moving to a territorial tax system will have the most impact on American companies with an international footprint. Tax reform also has to focus on that other engine of economic growth; that is, the American small business.

Like bigger businesses, small businesses currently face high tax rates, at times even exceeding those paid by large corporations. Lowering tax rates for small businesses has to be a part of any tax reform bill.

A dollar saved in lower tax rates is a dollar a small business owner can put back into the business to expand, to add another worker, or to give employees a raise. The other thing we can do for small businesses is to allow them to recover their investments in inventory, machinery, and the like faster.

Under current law, small- and medium-sized corporations are often required to use a method of accounting known as accrual accounting. Basically, what that means is, a business has to pay tax on income before it receives the cash and cannot deduct all of its expenses when it pays the invoice.

For investments in equipment and facilities, the delay in recovering the cost of the investment can be even longer. For instance, right now, the cost of a computer is recovered over 5 years; tractors, over 7 years; and commercial buildings, over 39 years.

For many businesses, this means it can be many years before that substantial investment can be fully deducted. That can leave a business extremely

cash poor. Cash-poor businesses don't expand, they don't hire new workers, and they don't increase wages.

Boosting small businesses' available cash by allowing them to recover their investments faster is one of the most important things we can do to help small businesses thrive.

I have actually introduced legislation that would do just that. My bill, which is called the INVEST Act, focuses on allowing new businesses to recover their startup costs more quickly and allowing existing small- and medium-sized businesses and farms and ranches to recover their investments faster, and in some cases deducting the acquisition costs immediately.

All of the tax reform priorities I have discussed today, and more, will be part of the final tax reform package that we develop in the U.S. Senate.

Members of the tax-writing committees, in both the Senate and the House, have spent years working out the best approach to tax reform. Both committees have redoubled their efforts this year, even as the Senate and the House took up a variety of different priorities.

Last week, leaders from the Senate, the House, and the administration announced that the Senate Finance Committee, of which I am a member, and the House Ways and Means Committee would begin putting together a final version of a tax reform package. Our goal is for the Senate and House to take up and pass the legislation sometime this fall.

I am looking forward to working with Chairman HATCH and all of my colleagues in the Senate Finance Committee to put together that final bill, because American families and businesses are counting on us to enact a tax system that works for them and not against them. That is what we intend to give them.

I yield the floor.

Mr. President, I ask unanimous consent that quorum calls during consideration of the Wray nomination be charged equally to both sides.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THUNE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. HOEVEN). Without objection, it is so ordered.

Ms. KLOBUCHAR. Mr. President, I rise today to recognize the 10th anniversary of the collapse of the I-35W bridge and to pay tribute to those who lost their lives on that tragic summer day, as well as all the first responders, healthcare workers, and ordinary citizens who did extraordinary things on this day 10 years ago.

First, I want to acknowledge one other topic; that is, this evening we

will be voting on the nomination of Christopher Wray to serve as the FBI Director. I was proud to join all of my colleagues on the Judiciary Committee—now, it is not an ordinary thing to have happen on its own that we all agree on something—from both sides of the aisle to support Mr. Wray's nomination in committee on July 20 with a unanimous vote of support.

In his hearing, Mr. Wray showed that he has integrity, that he will follow the law, and that he believes in the importance of an independent FBI. Senators on both sides of the aisle asked him strong and tough questions. Given this important time in our Nation's history for law enforcement and for the FBI, I don't think you would expect anything less.

Mr. Wray handled the questions well. He was knowledgeable, but most importantly for me, he showed respect for the agents, and he showed respect for his predecessors, both Mr. Mueller and Mr. Comey. He showed respect for the law, and he understood the somber time in which he comes in to take this job.

In particular, Mr. Wray said that if he were asked to do something illegal or unethical, he would urge the President not to proceed with such a course of action, and he would resign if necessary. Mr. Wray also responded to Senator GRAHAM that he did not consider Special Counsel Mueller to be on a witch hunt, and he agreed that anyone running for elected office should notify the FBI if a foreign government offers assistance on a political campaign.

Mr. Wray also agreed with the concerns I raised that are posed by organized criminals, including those from foreign governments or who work for foreign governments, hiding their money in shell companies. He said that we had to "follow the money." With news reports that the eighth person in the meeting with Donald Trump, Jr., Paul Manafort, and a lawyer connected to the Russian Government was a Russian who has been linked to money laundering, this issue is as important as ever.

In addition, Mr. Wray pledged to continue the FBI's efforts to work with the Election Assistance Commission and to address cyber security threats to our election infrastructure, so it is not just investigating things backward. A lot of what fighting crime is about—and I certainly knew this in my time as county attorney in Hennepin County—is making sure you protect people going forward. The FBI has enormous responsibilities going forward with cyber security, not only for our elections but for our government and also for business and for individual citizens.

Importantly, Mr. Wray promised to be responsive to requests from the Judiciary Committee as it carries out its oversight responsibilities. Those were questions posed to him by the committee's chairman, Senator GRASSLEY.

This is a tough time to take this tough job. The previous FBI Director,

as we know, was fired because of the Russia investigation. The former Acting Attorney General was fired, and we have had a slew of other firings throughout the government over the last few months.

Well, I believe Christopher Wray is someone who will come in there with the integrity that is needed to do the job for those brave agents who go to work every day, not wearing a political button. They just go to do their work to protect us. I also believe he is the right choice at this time for our country.

I am very proud of the work the FBI in Minnesota has done, especially in the past year, with the stabbing we had at the shopping mall. The police chief there often talks about how there was so much going on at that moment, and the FBI was able to come in and help with that investigation in a significant way, so the police chief could not only work on the investigation with his officers but also calm the community, work with them, and do the other work that had to be done in the aftermath of that tragic stabbing.

That is just one example of our FBI in Minnesota, but I think every Member in this Chamber has examples in their own communities, and that is why it is important to have someone of the caliber of Christopher Wray take charge. I look forward to voting for his confirmation this evening.

#### I-35W BRIDGE COLLAPSE ANNIVERSARY

Mr. President, I am here today to talk about the I-35W bridge, and, as I said earlier, this was a tragedy that captivated not only my State but the country and the world. It was 10 years ago to the day that the I-35W bridge collapsed into the Mississippi River, taking the lives of 13 people and injuring over 100. I will never forget the shock and horror of that day. Everyone in my State remembers where they were when they heard that the bridge had collapsed.

As I said that day, a bridge just shouldn't fall down in the middle of America—not an eight-lane highway, not a bridge just a few blocks from my house that I drive over every single day with my family. But it happened, and when something like that happens, a lot of it has to do with, yes, what caused it—you want to know that—but also you want to know how the community responded, and that gets to the part that I really wanted to focus on today.

In the minutes and the hours following the disaster, the response of Minnesota's firefighters, police, hospital personnel, emergency personnel, and ordinary citizens was nothing short of heroic. People did not run away from that disaster. They ran toward it.

Everyone remembers the video of the off-duty firefighter diving in, over and over again, looking for survivors, or they remember that school bus precariously hanging on the edge of that broken-down bridge, where ordinary people had come to help on this broken

bridge as the school bus rested on the side, ready to fall. To get the kids off the bridge—they were just going to a summer camp and coming home for the day—the driver was helping them out one by one by one, not leaving that bus until every single kid got off the bus. During the first 2 hours after the bridge fell down, the Minneapolis Emergency Communications Center received and processed over 500 calls, 51 of which came directly from the scene of the disaster.

The eyes of the Nation were on our State, and what they saw that day was the very best of Minnesota. That tremendous spirit of community is what carried us through the dark days after the bridge collapsed. I remember going there with then-Senator Coleman the next morning with the Transportation Secretary. There were already, literally, billboards the morning after, directing people where to go because this involved a major highway and telling them what buses would be working and which way they should go. That is a community responding.

Senator Coleman and I pledged that day that we would work with Congressman Oberstar, who was a major force—who sadly is no longer with us—on the House Transportation Committee and then, of course, with Congressman ELLISON, who is the Congressman for that district.

Senator Coleman and I pledged to get the money, and we secured \$250 million in emergency bridge reconstruction funding in just the first few days. It was a bipartisan effort, and I was proud to have the support of so many people in this Chamber. As a result of that—and maybe this is a lesson in light of what we heard in Senator MCCAIN's beautiful speech and in light of what we know we still need to be doing with infrastructure in this country—with President Bush's help and with bipartisan support, we rebuilt that huge bridge in Minnesota in a little over a year. Literally 13 months later, I was driving over that bridge to my house.

It is a shining example of what we can accomplish when we put politics aside to get big things done. I believe the I-35W bridge can and should be a model, not just of a tragic disaster and of our declining infrastructure, which it certainly is, but also a model of how we can fix things—a Republican Senator working with a Democratic Senator, and we got it done.

We have made some progress in this Chamber when it comes to infrastructure. In 2015, Democrats and Republicans worked together to pass the Fixing America's Surface Transportation Act or FAST Act, led by Senator MCCONNELL, the leader, with Senator Boxer. They don't agree on much, but they worked hard to get that bill done. I have always loved that it was called the FAST Act. It is kind of a scary thing to name a bill in Congress these days, but they named it that, and it got done. It was a long-term reauthorization bill that increased transpor-

tation funding from existing revenue streams and helped provide certainty for local governments planning critical projects.

Under the FAST Act, Minnesota is scheduled to receive more than \$4 billion in funding over 5 years, which will help to ensure that our infrastructure is safe and efficient, and by the last year, it will be an increase of about \$100 million just for our State over what we were getting the year before we passed the FAST Act. But we still need to do more.

This year, the American Society of Civil Engineers, which every so often comes out with grades of the Nation's infrastructure, gave America's infrastructure a grade of D-plus. While other countries are running ahead with infrastructure investments, we are still standing still. Even with the FAST Act, it doesn't propel us into the future, where we want to be. As we know—and as the Presiding Officer knows from his own State of North Dakota—we are an export State; we are an export country. We have to bring goods to market, and we have to bring goods into the United States. We also have to bring people to their jobs, and we can't do that if we have infrastructure—roads, bridges, rails, locks, and dams—that was set up for the last century. Standing still means falling behind in this global economy. In Minnesota, we know the cost of neglecting our roads and bridges. Our country needs to build roads, bridges, airports, locks, dams, and rails that work.

While safety should always be our first priority, it shouldn't be our only expectation. Our infrastructure should help farmers from the Presiding Officer's home State of North Dakota and my State of Minnesota to get crops to market quickly. Small businesses have to grow, and workers have to get to their jobs.

Let's not forget about updating our energy grid, repairing and replacing our water infrastructure and sewers, and making sure all Americans have access to broadband—not just low-speed broadband but high-speed broadband. I don't want to hear about another farmer going to the McDonald's parking lot to do his business or a doctor in northern Minnesota going to look at his x rays. If he couldn't use the hospital, he couldn't look at x rays at home or anywhere except another coffee store parking lot. That makes no sense.

If our deteriorating infrastructure goes unaddressed, it will cost our economy nearly \$4 trillion by 2025, leading to a loss of over 2 million jobs. If we address it, we can create millions of jobs.

Here are some ideas. Senators MARK WARNER of Virginia and ROY BLUNT of Missouri have a bipartisan bill that I am part of that would establish an infrastructure financing authority to complement existing funding and expand overall infrastructure investments by providing new incentives to

increase private sector spending. Another idea is to reform our Tax Code—and we have to do a lot of work on that—to simplify it and to create incentives for businesses to invest right here in America. We can also provide incentives to bring back trillions of dollars of foreign earnings. But if we do that, we have to make sure a chunk of it goes into infrastructure.

Of course, these tools should supplement and not replace direct Federal funding because, especially when it comes to rural America, we are not going to see the same kind of public-private partnership that you might in other, more populated areas of the country. So it has to be a combination of funding sources to make this work for every State, especially for rural America.

I am committed to moving forward in a bipartisan way to address our infrastructure needs and to prevent another tragedy like the collapse of the I-35W bridge. It is time to work together to make this happen. I actually believe the Senate is a place where we can make this happen. We showed the ability to get through a major infrastructure bill just 2 years ago, and we can do it again.

Today, on this 10th anniversary, we honor the victims, and their families, of that I-35W bridge collapse. We recognize the bravery of the first responders, who were incredible, and the 911 operators, who did their duty and answered those calls and got the help where they were supposed to go, and the doctors, nurses, ER people, ambulance workers, and everyone else.

Today, we also—and I can't think of a better time, when we are going through a difficult period, as we are in our country—remember the actions of ordinary citizens who could have just said: Oh, this looks scary; I am going home. They didn't do that. They didn't run away from the disaster; they ran toward it. Ordinary citizens did extraordinary things. Why? Because they cared about their fellow citizens. Because they knew that while maybe they had crossed over that bridge 5 minutes before it collapsed and could see it in their rearview mirror, or maybe they were approaching the bridge and actually saw it collapse—if it weren't for a 5-minute or 1-minute or 30-second difference, it would have been them on that bridge, and they knew that, and that is why they helped.

That is what America is really all about. It is not just a lottery where only certain people win and certain people lose. You have to put yourselves in the shoes of other people and think, we are all on one team. That is what this democracy is about, and that is what we saw on this day 10 years ago, August 1, in Minnesota.

Thank you, Mr. President.

I yield the floor.

Mr. DURBIN. Mr. President, I will support the nomination of Christopher Wray to be the next Director of the Federal Bureau of Investigation.

I met with Mr. Wray prior to his hearing, and I have carefully reviewed his record and listened to his hearing testimony. I believe he is well qualified and that he is sensitive to the fact that the FBI Director needs to be independent from this President and this Administration.

We are at a perilous moment in our history. Director Comey was fired by President Trump after he refused to pledge his loyalty to President Trump and after he publicly acknowledged that the FBI was investigating links between the Trump campaign and Russia. In the 109-year history of the FBI, only one FBI Director had ever been fired before. That director, William Sessions, was dismissed for serious ethical violations—not because the FBI was investigating the administration. Not since Watergate and the Saturday Night Massacre of October 20, 1973, has a President dismissed the head of an ongoing investigation into his administration.

From his own statements to NBC News and to Russian officials in the Oval Office, we know that President Trump wanted FBI Director Comey gone because of the Russia investigation. Let's be clear—Russia attacked our democracy last year. Almost every day, there is a new revelation about Russian contacts with the Trump campaign and administration. We owe it to the American people to get to the bottom of what happened.

Fortunately, we now have a special counsel, Bob Mueller, who is investigating whether any crimes were committed. We also need to make sure no foreign adversary can interfere with our elections again. It is imperative that the next FBI Director allow Special Counsel Mueller to conduct his investigation without interference and that the FBI provide Mueller with access to the information and resources he needs.

It is also imperative that we have an FBI Director who will carry out the functions of the office with independence, integrity, and a firm commitment to the rule of law.

I appreciate that Mr. Wray shares my view that the FBI Director should avoid meeting with President Trump one-on-one and that the FBI Director would be well-advised to make contemporaneous written records of any substantive conversations with President Trump.

Mr. Wray also told me he has no reason to doubt the intelligence community's conclusion that Russia interfered in our election. I look forward to hearing more from Mr. Wray on this subject after he is confirmed and has reviewed the classified intelligence.

He also committed to work with me to address the scourge of illicit gun trafficking coming into the city of Chicago and to work with me on efforts to reduce youth exposure to violent trauma.

I asked Mr. Wray about the criminal division's involvement in a 2004 memo

by the DOJ Office of Legal Counsel on torture. He said he was not involved in reviewing or approving this memo or any CIA interrogation techniques and that he agrees with former FBI Director Mueller that interrogation techniques such as painful stress positions and waterboarding are "abusive under all circumstances." I appreciate his commitment to ensuring that FBI personnel never use or participate in abusive interrogation techniques. Mr. Wray also committed to me that, if confirmed, he would review the Senate Intelligence Committee's torture report, and I look forward to hearing his reflections on it.

Mr. Wray told me that he agrees with former Director Comey that Federal courts and Federal prosecutors are effective in prosecuting terrorists and obtaining valuable intelligence, which is clear when you compare our courts' record in convicting more than 500 terrorists since 9/11. In contrast, military commissions have only produced eight convictions, four of which have been overturned.

I appreciate Mr. Wray's commitment to "seek to maintain and build trust with all Americans, including Muslim Americans."

The next FBI Director will be under incredible scrutiny. We need an FBI Director who will face that pressure with integrity, independence, and a firm commitment to the rule of law. He may also have to stand up to this President if the interests of justice call for it. I believe Mr. Wray can do that, so I will support his nomination, and I hope I will be joined by my colleagues in closely monitoring the FBI to ensure Mr. Wray is effectively serving the American people and the rule of law.

Mr. LEAHY. Mr. President, I supported Christopher Wray's nomination in the Judiciary Committee to be the next Director of the Federal Bureau of Investigation. I did so because I believe he is qualified and—critically—I believe he will stand up for the independence of the FBI. Such independence has never been more at risk. We need a new FBI Director now because the President fired the last one, Director James Comey. The President's reason for doing so was disturbing: to take pressure off of the FBI's investigation into Russian interference in our democracy and connections between the Kremlin and the President's campaign and administration. This came after the President first sought Director Comey's loyalty, then pressured him to terminate the ongoing investigation into Michael Flynn, and then misled the Nation as to the reason for Director Comey's firing.

Time and again, this White House has shown it does not respect boundaries between politics and law enforcement or understand that an official's loyalty is to the Constitution, not the President. The President routinely attacks the Attorney General, Deputy Attorney General, special counsel, Acting FBI Director, former FBI Director,

and countless others. Each attack seems more outrageous than the last. Attorney General Sessions was required by Justice Department regulations to recuse himself from the Russia investigation. It was not discretionary. The President launched a weeklong Twitter tirade against him anyway, stating he would have never hired the Attorney General had he known he would recuse himself. In other words, the President would not have hired our Nation's top law enforcement official had the President known he would actually follow the law.

Make no mistake, whether he asks for it or not, the President will demand loyalty from Mr. Wray. He has shown there are consequences for those who dare to maintain independence and follow the rules. Through Twitter attacks and firing top officials, the President is attempting to intimidate and improperly influence the behavior of our Nation's top law enforcement officials.

This is not normal. We should not treat it as such, nor should these officials be solely responsible for protecting the independence of our law enforcement institutions. All of us, Republican and Democrat, must stand up to a President who seems to only stand for himself and whose relentless attacks on the rule of law harm the entire Nation.

The next FBI Director will face many tests of integrity. He will be forced to make decisions, as Director Comey was, that will test his commitment to the rule of law. I believed Mr. Wray when he testified in response to my question that he would sooner resign than follow an unlawful or unethical order from the White House. While he served as the head of the Justice Department's criminal division in 2004, the White House attempted to authorize a warrantless surveillance program over the Attorney General's objections. Mr. Wray offered to resign in solidarity with then-FBI Director Robert Mueller and then-Deputy Attorney General Comey. He takes his integrity and the integrity of our Nation's law enforcement agencies seriously.

I expect Mr. Wray will tenaciously guard the independence of the FBI, and I will vote to confirm his nomination today.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I know that later this afternoon, we are going to vote on the nomination of Christopher Wray. I am proud to support him, as I was during the Judiciary Committee, voting for him, as did every other member of the Judiciary Committee. The reason is quite simply that he is a professional, as nonpolitically associated as anyone can be going into this position.

Like the FBI itself, he is known for his independence and integrity. There are two qualities needed today for the FBI and its Director, and those are independence and integrity. The FBI is



one of the most important law enforcement agencies and certainly one of the most important in the country.

The FBI Director doesn't serve the President. He serves the Constitution and the people of the United States. He must be independent of political interference, and his or her integrity must be unquestioned. The FBI deserves a leader with the integrity and strength necessary for that solemn mission, and Mr. Wray has shown himself to be that kind of leader. Those qualities are especially important because never before have the rule of law and our law enforcement been so threatened by political interference, and it begins at the very top.

The reason Christopher Wray has been nominated to serve as FBI Director is that the vacancy was created by the firing of Jim Comey for reasons that have led to an aspect of the ongoing investigation by the special counsel.

The reason that position is vacant is because 3 months ago Jim Comey was fired by the President because of "the Russia thing." The Russia thing was very much on the President's mind, more so than any of the reasons given in the memos done by Attorney General Sessions and Deputy Attorney General Rod Rosenstein, according to the President himself.

"The Russia thing" is the FBI and special counsel investigation into whether the Trump campaign colluded with the Russian Government to influence our election.

There is no question that there was a campaign of interference and meddling through cyber attacks, disinformation, propaganda, and other means, and there is no question that the Russians will do it again unless they are made to pay a price. Others may well collude or conspire with them—Americans—unless they are compelled to pay a price.

We have only to look at the morning headlines to see how far-reaching and significant this investigation may be. The news that the President himself wrote a statement to be issued in the name of his son about a meeting with the Russian who promised "dirt" on Hillary Clinton and directly misled about that meeting shows what is at stake.

The misleading words put into the President's son's mouth by Donald Trump himself are potential pieces of evidence relating to criminal intent fitting the mosaic that the special counsel has assembled. They add weight and color to that mosaic; they are not alone proof.

The report today is proof that certainly describes a pattern of conduct—pieces of a pattern that fit together into a mosaic providing evidence of intent concerning potential obstruction of justice.

So the likelihood of a threat is increasing—the threat of political interference, the threat of firing Bob Mueller, the threat that Attorney General Jeff Sessions may be used as a vehicle to lead to Bob Mueller's firing.

Even before Jim Comey's dismissal, I called for an independent special prosecutor at the Department of Justice. In fact, I was the only member of the Judiciary Committee to vote against Rod Rosenstein's nomination as Deputy Attorney General because he failed to commit to appoint a special prosecutor, and I believed a special prosecutor was necessary not only to determine the full extent of Russia's meddling in our democracy but also to protect that investigation from the President's efforts to shut it down. This belief was brought into stark relief by Jim Comey's firing, and it precipitated the appointment of Bob Mueller.

The firing of Special Counsel Mueller would precipitate a firestorm on both sides of the aisle. It would put the President over a precipice that likely could lead to the most drastic action possible in this democracy. That precipice can be avoided, and Congress must play a role in avoiding it. We are in talks across the aisle about action that can be taken to provide a check and a firewall against that kind of firing—drastic action that would put the President over that precipice politically and morally and legally. Also, my hope is that the new Chief of Staff, General Kelly, will add a voice of reason and wisdom, perhaps, to check some of the more rash and impulsive action that might otherwise be taken by the President.

The special counsel was given a clear mandate to follow the evidence wherever it may lead. I believe that Special Counsel Mueller has the guts and backbone, as well as the expertise, to uncover the truth, to follow that evidence, and to bring charges if they are appropriate and necessary, if he is assured the resources and independence to do the job.

That is why Christopher Wray's nomination is so critically important. He will be a key decision maker in providing those resources and investigative agents necessary to do the legwork and the review of documents and other hard work—challenging work—that is necessary so that the special counsel may have the facts and the evidence. The FBI Director is also going to be important in assuring the independence of that special counsel. As an ally and a source of support, the FBI Director will be critical.

The most important priority, in fact, for Christopher Wray will be to protect the independence and integrity of that special counsel investigation just as he must protect the FBI's, because they are intertwined and identified at the core. They involve the rule of law—the essence of our democracy—and the belief and trust that wrongdoing will be investigated and prosecuted no matter how powerful the target and no matter how wealthy or powerful the wrongdoer. That investigation has expanded appropriately to include financial dealings on the part of the President of the United States. Any attempt by the President to set limits on that inves-

tigation is inappropriate and potentially illegal and further evidence of criminal intent.

In short, the mandate for both Director Wray and Special Counsel Mueller must be unconditional. There must be no limits set by political interference. The nominee whom we vote to confirm today must sustain and secure that ongoing independent investigation from any interference no matter how powerful the source, including the President of the United States. No one can set limits, because no one is above the law, and the special counsel must have the freedom to decide where the investigation will lead because he will follow the facts where they lead.

The FBI Director has a broad and inclusive mandate. In addition to protecting the United States against corruption and wrongdoing involving misuse and abuse of power, he must also protect the United States against terrorism and foreign intelligence threats. He is charged with providing leadership services to State, Federal, and municipal agencies and partners, and he is responsible for protecting civil rights.

On Friday, July 28, 2017, President Trump gave a speech in Selden, NY, in effect encouraging law enforcement to use or misuse excessive force. More specifically, he directed law enforcement not to be "too nice," and he described, graphically, how officers should potentially allow arrestees to be banged on the head or otherwise mistreated. With his comments, President Trump did a disservice to countless law enforcement officers who work hard to keep our neighborhoods safe while maintaining good relationships with the communities they serve.

I will be joining with colleagues and working with the very distinguished senior Senator of California, who has joined us on the floor, in asking that our law enforcement leadership take action to express its disapproval of that kind of misconduct, and my hope is that, specifically, the Department of Justice will express its disapproval of such misconduct.

The FBI has a special obligation to condemn such violations of standards and laws, and I hope that the new Director, Mr. Wray, will join dozens of law enforcement leaders across the country in making clear that the President's remarks have no place at the FBI. I believe that Christopher Wray has the experience and credibility and the expertise to lead the FBI in that effort, as well as in protecting the special counsel.

Based on his career and his testimony before the Judiciary Committee, I believe that he will bring that leadership to the FBI. I regret that he will be the FBI Director only because it is the result of an abusive and improper firing of James Comey. The special counsel's investigation of that firing as a potential obstruction of justice is well warranted, and I know that Mr. Wray will do everything possible to enable it to be fair and effective, comprehensive

and thorough, and to do justice. He will help the special counsel to do justice just as he will help prosecutors and law enforcement agencies across the country to do justice. The future of the FBI and our Nation are truly at stake.

Thank you.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Mr. President, I thank the distinguished Senator from Connecticut for his remarks, and I would like to make a few remarks with respect to my position as ranking member on the Judiciary Committee.

As has been well described, shortly, we will vote on the nomination of Christopher Wray to be the next Director of the Federal Bureau of Investigation. The Judiciary Committee has reviewed his record and held a full and complete hearing. His nomination was sent to the floor for consideration by a vote of 20 to 0—a very good vote. I am very satisfied that Mr. Wray has the qualifications and independence necessary to lead the FBI, so I will support Mr. Wray's nomination to be FBI Director.

I wish to begin by saying just a few words about what I think, after 24 years in this place, is necessary in going forward.

First, it is really important that we have a strong FBI Director. There can be no manipulation.

Second, Special Counsel Robert Mueller must be allowed to proceed with his investigation undisturbed.

Third, the FBI Director must manage and speak for the FBI on the basis of the Constitution and the laws of the United States, not at the dictates or requests or statements of any politically elected person in this country.

Fourth, the FBI Director must be independent from the White House and any political figure.

This is what the FBI and the American people need now.

As you and I know, the FBI is a critically important law enforcement agency. It must be able to move forward with its work and with its senior leadership in place. As I noted at Mr. Wray's hearing and just noted again, the FBI must be an independent law enforcement organization that is free from political influence.

During his hearing and in his written responses to followup questions, Mr. Wray stated that the FBI Director must maintain "strict independence," and he committed to doing the job "by the book" and "without regard to any partisan political influence." He also testified that his loyalty is to the Constitution and the rule of law, not to any ideology or any individual, including the President. He was believable to all of us in those statements.

Mr. Wray also testified that he would resist any efforts to interfere with FBI investigations and that he would not "pull any punches." When asked what he would do if the President asked him to do something unlawful or unethical,

Mr. Wray replied that he would first try to talk him out of it and that, if that failed, he would resign.

These commitments are important. Especially at this moment in history, we need an FBI Director who has the strength and fortitude to stand up and do what is right by the law when tested.

Mr. Wray has received bipartisan support from more than 100 former U.S. attorneys, who enthusiastically endorsed his nomination and stated their belief that Mr. Wray "is a strong and effective leader with unassailable integrity, judgment and courage." According to this group, which included former Bush administration Justice Department officials like Larry Thompson and Ken Wainstein, as well as Eric Holder and Sally Yates, Mr. Wray will discharge the duties of FBI Director "with honor, independence, and a tireless commitment to the rule of law."

Earlier this year, when we considered other nominees for the Justice Department, I pointed out that we need leaders with steel spines, not weak knees. I believe that Mr. Wray will be such a leader.

The issue of torture is very important to me. On this issue, I was encouraged by Mr. Wray's acknowledgment that torture is wrong, unacceptable, illegal, and ineffective. He testified under oath that he did not participate in the drafting of the so-called torture memos that were issued by the Office of Legal Counsel some time ago. Mr. Wray has further testified that interrogation techniques, such as waterboarding, painful stress positions, threatening detainees with dogs, forced nudity, and mock execution, are "abusive under all circumstances."

Importantly, for me, he has committed that the FBI, under his leadership, will never engage in such techniques or other forms of torture and that it will adhere to the policy of using the Informed Interrogation Approach as outlined in the Army Field Manual, which, thanks to JOHN MCCAIN, was added as a new law to last year's military authorization bill. Mr. Wray also committed to me that he will read the Senate Intelligence Committee's report on the CIA's detention and interrogation program under a former administration.

On the issue of torture, as well as his independence and integrity, I take Mr. Wray at his word. As we discussed when Mr. Wray and I met in my office, I believe the next FBI Director's independence, integrity, and commitment to the rule of law, sadly, will likely be tested by this administration.

One early test may come in relation to the investigations being conducted by Special Counsel Mueller, this committee, and other committees in Congress. Mr. Wray has committed to supporting and protecting the investigation being conducted by Special Counsel Mueller, and I trust Mr. Wray will keep the Judiciary Committee of our

House informed of any attempts to interfere with that investigation.

Now, he has a tough job ahead of him. The FBI is our premier law enforcement agency. It faces new criminal terrorism threats every day. I remember FBI Director Comey telling us the FBI had a counterterrorism investigation going on in virtually every State in the Union. That was last year, but I assume many are still going on. On top of that, his predecessor was, as we all know, suddenly fired by the President for reasons that are questionable, and that is the subject of ongoing investigations. Lately, we have seen the President attempt to bully his own Attorney General, but even in the light of these challenging circumstances, I believe Mr. Wray is up to the task.

Based on his testimony and the commitments he has made to me and other members of our Judiciary Committee, I believe we on the committee will all vote to support his nomination, and, if he is confirmed, I commit to working with him to support the FBI, its mission, and the some 30-plus thousand FBI agents and employees who work every day to help protect our Nation.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I thank the Senator from California for her fine remarks on Mr. Wray. I am here for the same reason she is, and I thank her for also facilitating getting this through the committee in a very quick way.

Thank you.

Mrs. FEINSTEIN. Thank you.

Mr. GRASSLEY. Mr. President, I am pleased to support the nomination of Christopher Wray to be Director of the FBI. Mr. Wray possesses the skill, the character, and the unwavering commitment to impartial enforcement of the law we need in an FBI Director. Based on the unanimous vote Mr. Wray received from the Judiciary Committee, I am confident my colleagues believe this as well.

Mr. Wray has an accomplished record as a lawyer. He was a Federal prosecutor for a number of years and went on to serve in various senior roles at the Department of Justice, including leading the criminal division at the Department.

Mr. Wray earned the Department's highest award for public service and leadership. His prior record of service demonstrates his competence in leading within the Federal Government and demonstrates he will be able to lead effectively at the FBI. He has shown he has the expertise needed to address the wide range of policy issues currently facing the FBI.

Of course, my colleagues and I asked Mr. Wray about his positions on many such issues during his hearing. He answered those questions very well, but the most important thing we wanted to learn from him had to do with his view of the job and where his loyalties lie.



As all of us in this body know, when we take the oath of office, we affirm that we will support and defend the Constitution of the United States. We don't pledge support to any member of the government or even to a political party. We pledge our loyalty to the Constitution and to the rule of law.

Many Members asked Mr. Wray very pointed questions about loyalty during his hearing. I was impressed with his plainspoken, candid answers, and I take him at his word when he says that his "loyalty is to the Constitution and the rule of law" and when he says that he will "never allow the FBI's work to be driven by anything other than the facts, the law, and the impartial pursuit of justice. Period—full stop."

Now, if he is confirmed, Mr. Wray will step into this role at a crucial moment, not only in the history of the FBI but in the history of this Nation. As we know, multiple investigations are underway, including by this body, to clearly lay out Russia's activities that attempted to influence the 2016 election. These are important and sensitive investigations, and they cannot be inappropriately influenced by people in powerful positions in any way whatsoever. This applies to the FBI Director.

Mr. Wray was asked very directly what he would do if presented with the opportunity to influence these investigations in any way. He told the committee that he will not condone tampering with investigations and that he would resign rather than be unduly influenced in any manner.

Mr. Wray's record of service and his reputation give us no reason to doubt him. He was forthright when he was asked specific questions about the events leading up to his being offered the job of FBI Director by President Trump. He made no loyalty pledges then, and I expect him never to make such a pledge moving forward.

Mr. Wray will also face the challenge of running the FBI, motivating its staff, and ensuring that the FBI operates effectively and efficiently. My colleagues know I haven't been pleased with how the FBI has—or has not—replied to the Judiciary Committee's inquiries and requests for information, and this doesn't apply just to this Senator but all the Senators on the committee, and it doesn't matter whether Republican or Democratic. They are entitled to ask questions, and they ought to get answers. That is the constitutional responsibility of oversight that all 535 Members of Congress have.

Not being satisfied with the FBI in the past, I asked Mr. Wray directly about the FBI's responsiveness to Members of this body. He promised me, and in turn other Members of this body, that he will prioritize responsiveness and transparency to this body. This will allow us to do our vitally important job of oversight over the Nation's top law enforcement agency. I am glad Mr. Wray is ready to work in partnership with the Senate to help us perform our role very effectively.

I expect to see improved responsiveness from Mr. Wray to our letters and to see enhanced protection for whistleblowers within the FBI who come forward—and they do that at great risk to themselves—to let this body know where abuses of power are going unnoticed. We owe it to these brave people we call whistleblowers, but they are patriotic people, to give them the protection they deserve. The culture for giving this protection starts at the top with the new FBI Director, Mr. Wray.

As I mentioned before, Mr. Wray was voted out of our committee unanimously. The fact that all of my colleagues—Democratic and Republican—trusted Mr. Wray with their "yea" vote says what we need to know about Mr. Wray's ability to perform the important role of FBI Director and to do it with integrity, with competence, with professionalism, and the utmost respect for the Constitution and the rule of law. We can't ask for Mr. Wray to do anything more than that.

I urge my colleagues to join me in voting to confirm Christopher Wray as the next Director of the FBI.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. LANKFORD). The Senator from Georgia.

Mr. ISAKSON. Mr. President, I have a rare privilege and honor right now. A lot of times, the Presiding Officer and I come to the well to make speeches that we have to, that we ought to, or that somebody wanted us to. Rarely do we have the opportunity to come to the well of the Senate and speak about an individual from our own State whom we know personally who is impeccable in their reputation, has served America in many ways, and has now been appointed to a job that is essential to the health, safety, and welfare of the American people. I speak of Christopher Wray of Georgia.

Christopher Wray is my friend. Christopher Wray worked for the law firm of King & Spalding, the same one Griffin Bell, Larry Thompson, and Sam Nunn worked for—a great law firm with a tie to our government and our country.

At a time for an appointment to be the great one, this is the time. We know there have been issues from time to time with the FBI. We all know we are looking for somebody who can do the job and do it well, in a fair and impartial way, without any question of impropriety. Christopher Wray is exactly that type of person.

He is the person who helped convict Zacarias Moussaoui and coordinated with local law enforcement in the prosecution of the Washington, DC, snipers who terrorized our city for so long. He is a dedicated and committed prosecutor.

He has been selected many times to work for the Department of Justice. He went to the Department of Justice under Larry Thompson as an assistant. He worked there at the same time as Griffin Bell. He also worked during many of the investigations into the terrorists who attacked America. He is

the right man at the right time in the right place.

So if ever there were a time—

Mr. SCHUMER. Mr. President, will my colleague yield for a brief moment?

Mr. ISAKSON. I am happy to yield to the minority leader.

Mr. SCHUMER. Mr. President, I will have a statement in support of Mr. Wray after the Senator from Georgia finishes speaking.

Mr. ISAKSON. Put an exclamation point after that.

Mr. SCHUMER. I am in full support of Mr. Wray, and I thank my colleague for the courtesy.

I yield the floor.

Mr. ISAKSON. Mr. President, I know when it is a good time for me to shut up. When the minority leader has come to the floor to endorse the guy I am talking about, the last thing I want to do is wear it out.

Let me end my remarks by saying that Christopher Wray is the type of person CHUCK SCHUMER wants, the type of person I want, and the type of person we are looking for as the chief law enforcement officer of our country. He will make himself proud, he will make our State proud, and he will do the right thing at the right time in all places for the people of the United States of America.

I urge every Member of the Senate to heartily vote in support of Christopher Wray to be Director of the Federal Bureau of Investigation for the United States of America.

I yield back.

Mr. SCHUMER. Mr. President, shortly we will take a vote on the nomination of Christopher Wray to be the next FBI Director.

The job of FBI Director has always been a crucial one. The responsibility is great and so are the expectations, and the demands facing our next FBI Director are perhaps greater than any time in our history.

This is a serious time for the FBI, and for the Nation. The firing of Director Comey, the shifting explanations from the White House as to why Mr. Comey was fired, and the disdain this White House has shown for the rule of law mean that now, more than ever, the Senate has an obligation to critically evaluate any potential FBI Director.

Now more than ever, we need an FBI Director who is independent, impartial, fearless, and has the strength of will to occupy a job that has been put under enormous political strain by the White House.

No doubt, Christopher Wray has been put up for a tough job. In considering his nomination, it was important to me to take the measure of the man and determine whether he was up to the challenge. I met with him privately for an hour, and I closely studied his record and his performance in his hearings.

Based on his career in public service and the commitments he made to me in our meeting and to the Judiciary Committee in his confirmation hearing, I believe that Christopher Wray deserves the approval of the Senate.

He committed to informing the Judiciary Committee of any attempts to interfere with Special Counsel Mueller's Russia probe and said he would consider any attempted interference to be unacceptable and inappropriate.

He committed to impartiality and independence, pledging that the FBI will follow the facts, the laws, and the Constitution, without regard to partisan political influence.

After a sterling career at the Justice Department, and based on the recommendation of hundreds of U.S. Attorneys who have validated his integrity, there is no reason not to believe that Mr. Wray will live up to these commitments as Director of the FBI.

I will vote yes on his nomination, and I urge my colleagues to do the same.

Thank you.

Mr. ISAKSON. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. ISAKSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ISAKSON. Mr. President, I yield back all time on our side and their side as well.

The PRESIDING OFFICER. All time is yielded back.

The question is, Will the Senate advise and consent to the Wray nomination?

Mr. ISAKSON. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR) and the Senator from Arizona (Mr. MCCAIN).

Mr. DURBIN. I announce that the Senator from Minnesota (Mr. FRANKEN) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 92, nays 5, as follows:

[Rollcall Vote No. 181 Ex.]

YEAS—92

Alexander	Cochran	Feinstein
Baldwin	Collins	Fischer
Barrasso	Coons	Flake
Bennet	Corker	Gardner
Blumenthal	Cornyn	Graham
Blunt	Cortez Masto	Grassley
Booker	Cotton	Harris
Boozman	Crapo	Hassan
Brown	Cruz	Hatch
Cantwell	Daines	Heinrich
Capito	Donnelly	Heitkamp
Cardin	Duckworth	Heller
Carper	Durbin	Hirono
Casey	Enzi	Hoeven
Cassidy	Ernst	Inhofe

Isakson  
Johnson  
Kaine  
Kennedy  
King  
Klobuchar  
Lankford  
Leahy  
Lee  
Manchin  
McCaskill  
McConnell  
Menendez  
Moran  
Murdowski  
Murphy

Murray  
Nelson  
Paul  
Perdue  
Peters  
Portman  
Reed  
Risch  
Roberts  
Rounds  
Rubio  
Sanders  
Sasse  
Schatz  
Schumer  
Scott

Shaheen  
Shelby  
Stabenow  
Strange  
Sullivan  
Tester  
Thune  
Tillis  
Toomey  
Udall  
Van Hollen  
Warner  
Whitehouse  
Wicker  
Young

NAYS—5

Gillibrand  
Markey

Merkley  
Warren

Wyden

NOT VOTING—3

Burr

Franken

McCain

The nomination was confirmed.

#### EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Newsom nomination?

Mr. WICKER. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR) and the Senator from Arizona (Mr. MCCAIN).

Mr. DURBIN. I announce that the Senator from Minnesota (Mr. FRANKEN) is necessarily absent.

The PRESIDING OFFICER (Mr. RUBIO). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 66, nays 31, as follows:

[Rollcall Vote No. 182 Ex.]

YEAS—66

Alexander  
Barrasso  
Blumenthal  
Blunt  
Boozman  
Capito  
Casey  
Cassidy  
Cochran  
Collins  
Corker  
Cornyn  
Cotton  
Crapo  
Cruz  
Daines  
Donnelly  
Enzi  
Ernst  
Feinstein  
Fischer  
Flake

Gardner  
Graham  
Grassley  
Hassan  
Hatch  
Heitkamp  
Heller  
Hoeven  
Inhofe  
Isakson  
Johnson  
Kennedy  
Klobuchar  
Lankford  
Leahy  
Lee  
McCaskill  
McConnell  
Moran  
Murdowski  
Murphy  
Nelson

Paul  
Perdue  
Peters  
Portman  
Risch  
Roberts  
Rounds  
Rubio  
Sasse  
Scott  
Shaheen  
Shelby  
Stabenow  
Strange  
Sullivan  
Tester  
Thune  
Tillis  
Toomey  
Warner  
Wicker  
Young

NAYS—31

Baldwin  
Bennet  
Booker  
Brown  
Cantwell  
Cardin  
Carper  
Coons  
Cortez Masto  
Duckworth  
Durbin

Gillibrand  
Harris  
Heinrich  
Hirono  
Kaine  
King  
Manchin  
Markey  
Menendez  
Merkley  
Murray

Reed  
Sanders  
Schatz  
Schumer  
Udall  
Van Hollen  
Warren  
Whitehouse  
Wyden

NOT VOTING—3

Burr

Franken

McCain

The nomination was confirmed.

The PRESIDING OFFICER. The majority whip.

Mr. CORNYN. Mr. President, I ask unanimous consent that with respect to the Wray and Newsom nominations, the motions to reconsider be considered made and laid upon the table en bloc and the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### LEGISLATIVE SESSION

#### MORNING BUSINESS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Rhode Island.

#### ORDER OF BUSINESS

Mr. WHITEHOUSE. Mr. President, I think we are waiting for Senator GRASSLEY to come, and then we will be ready to proceed.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Mr. President, I appreciate the indulgence of my colleagues from Iowa and Rhode Island.

(The remarks of Mr. PORTMAN pertaining to the introduction of S. 1693 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. PORTMAN. I thank my colleague from Iowa.

I yield back my time.

The PRESIDING OFFICER. The Senator from Iowa.

#### JUVENILE JUSTICE AND DELINQUENCY PREVENTION REAUTHORIZATION ACT OF 2017

Mr. GRASSLEY. Mr. President, I rise to speak about the Juvenile Justice and Delinquency Prevention Reauthorization Act.

I will make some short comments, and then I would like to defer to Senator WHITEHOUSE, and then I would propound a unanimous consent request.

I think we will soon be able to pass the Juvenile Justice and Delinquency Prevention Reauthorization Act. I reintroduced this measure this year with Senator WHITEHOUSE.

The bill before us is almost the same as the one the Judiciary Committee cleared by voice vote in the 114th Congress, and it is very similar to the one we hotlined last year. We hotlined it in April, and all the Members of this Chamber had several months to review it. We had one objection, and we cleared it earlier this week.